



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,092	02/10/2006	Sang-Kee Kim	409-013	7766

47888 7590 09/09/2010  
HEDMAN & COSTIGAN, P.C.  
1230 AVENUE OF THE AMERICAS  
7th floor  
NEW YORK, NY 10020

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 09/09/2010

Please find below and/or attached an Office communication concerning this application or proceeding.

**DETAILED ACTION**

***Election/Restrictions***

1. Newly added Claims 20-22 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the newly added Claims are now directed to a combination that was not previously claimed. The original presentation of Claims 1-8 was directed to the subcombination. Specifically, the newly added Claims disclose a container cover system comprising at least two differently sized or shaped containers and a container cover removably attached to one of the at least two differently sized or shaped containers which constitutes a combination, and the original claims disclosed a container cover, which constitutes a subcombination.

There is now an additional examination and search burden for the combination, consisting of a class and keyword search related to the two differently sized or shaped containers wherein the annular contact portion and the press protrusion are adjacent a substantially flat wall of the one of the at least two differently sized or shaped containers. This newly introduced combination of elements requires a different field of search than the search applied to the original presentation of a subcombination, which only detailed a cover.

Since the Applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, Claims 20-22 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Response to Amendment***

2. The amendment filed on May 20<sup>th</sup>, 2010 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because these claims have been withdrawn per the reasons set forth in the above Election/Restriction section.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NED A. WALKER whose telephone number is (571)270-3545. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 3781

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anthony Stashick/  
Supervisory Patent Examiner, Art  
Unit 3781

NW